

STATE OF MISSISSIPPI  
COUNTY OF DE SOTO

David P. Rainwater and Ahlam Rainwater and  
Cheryl L. Grace  
CRR 7890474

**SUBSTITUTED TRUSTEES DEED**

WHEREAS, on June 28, 2007, David P. Rainwater and wife, Ahlam Rainwater, and Cheryl L. Grace, a single person, executed a Deed of Trust to John H. Shows, Trustee for the benefit of Mortgage Electronic Registration Systems, Inc., which Deed of Trust is filed for record in Book 2746 at Page 274 in the office of the Chancery Clerk of De Soto County at Hernando, Mississippi; and

WHEREAS, said Deed of Trust was subsequently assigned to Cimarron Mortgage Company by instrument dated December 9, 2008 and recorded in Book 2974 at Page 312 of the aforesaid Chancery Clerk's office; and

WHEREAS, as authorized by the aforesaid Deed of Trust and in strict accordance therewith, Cimarron Mortgage Company substituted J. Gary Massey as Trustee therein in the place and stead of the trustee named in said Deed of Trust or subsequently substituted therein by Substitution of Trustee dated December 17, 2008, and duly filed for record in the office of the aforesaid Chancery Clerk in Book 2977 at Page 367 prior to the first publication and posting of the notice of sale; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust, which default continued for a period of time necessary for the holder thereof to declare the entire indebtedness, together with attorney's fees, expenses and costs, immediately due and payable, as was its option so to do under the terms of said Deed of Trust, and default having been made in payment of said amount and the Substituted Trustee having been requested and directed by Cimarron Mortgage Company to foreclose under the terms of said Deed of Trust, I did on February 10, 2009, during legal hours, being between the hours of 11:00 a.m. and 4:00 p.m., at the East Front Door of the County Courthouse of De Soto County, located at Hernando, Mississippi, in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi, offer for sale at public auction and sell to the highest and best bidder for cash the following described land and property lying and being situated in De Soto County, Mississippi, being more particularly described as follows, to wit:

Lot 1916, Section E, DeSoto Village Subdivision, located in Section 33, Township 1 South, Range 8 West, as shown on plat of said subdivision of record in Plat Book 12, Pages 22-25, in the Office of the Chancery Clerk of DeSoto County, Mississippi, to which plat reference is hereby made for a more particular description of said property.

Said property was sold after strictly complying with all the terms and conditions of said Deed of Trust and the statutes made and provided in such cases. A notice of time, place and terms of said sale, together with a description of the property to be sold, was

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given by publication in the DESOTO TIMES-TRIBUNE, a newspaper published in De Soto County, Mississippi for three consecutive weeks preceding the date of sale. The notices were published on January 20, 27 and February 3, 2009, (a certified copy of which is attached hereto,) and a notice identical to the published notice was posted on the bulletin board at the East Front Door of the County Courthouse of De Soto County, Hernando, Mississippi for said period of three consecutive weeks. Everything necessary to be done was done to make and effect a good and lawful sale.

At said Sale, Cimarron Mortgage Company bid for said property in the amount of \$120,357.10, which being the highest and best bid, the same was then and there struck off to Cimarron Mortgage Company, and it was declared the purchaser thereof.

NOW THEREFORE, in consideration of the full payment of the purchase price, I, the undersigned Substituted Trustee, do hereby sell and convey unto Cimarron Mortgage Company the land and property herein described. I convey only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE, on February 10, 2009.



J. Gary Massey, Substituted Trustee

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for said county and state, on this the Tenth day of February, 2009, the within named J. Gary Massey, Substituted Trustee, duly identified before me, who acknowledged that in said representative capacity he executed the above and foregoing instrument, after having first been duly authorized to do so.



Notary Public

My commission expires



GRANTOR'S ADDRESS:

J. Gary Massey, Substituted Trustee  
1910 Lakeland Drive, Suite B  
Jackson, MS 39216  
(601)981-9299  
S&M #08-101712

GRANTEE'S ADDRESS:

Cimarron Mortgage Company  
6311 Ridgewood Rd  
Suite 400  
Jackson, Mississippi 39211  
601-899-1500/

PREPARED BY:

J. Gary Massey, Substitute Trustee  
1910 Lakeland Drive, Suite B  
Jackson, MS 39216  
(601)981-9299

INDEX: Lot 1916, Section E, DeSoto Village Subdivision, located in Section 33,  
Township 1 South, Range 8 West, DeSoto County, Mississippi

## PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

**Diane Smith** personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times-Tribune, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 3 consecutive times, as follows, to-wit:

### SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on June 25, 2007, David P. Robinson, III, aka, Adam Robinson and Cheryl L. Smith, a married couple, executed and recorded in Book 2746 at Page 274 of the Chancery Clerk of De Soto County, State of Mississippi, a deed of trust for the benefit of Mortgage Electronic Registration Systems, Inc., which deed of trust is of record in the office of the Chancery Clerk of De Soto County, State of Mississippi in Book 2746 at Page 274 and

WHEREAS, said Deed of Trust was subsequently assigned to Citimortgage Mortgage Company by instrument dated December 9, 2008 and recorded in Book 2874 at Page 312 of the aforesaid Chancery Clerk's office; and

WHEREAS, Citimortgage Mortgage Company has heretofore substituted J. Gary Messery as Trustee by instrument dated December 17, 2008 and recorded in the aforesaid Chancery Clerk's Office in Book 2877 at Page 387; and

WHEREAS, default having been made in the terms and conditions of said deed of trust and

by failing to pay the amount due and thereby in default under said deed of trust, the legal holder of said instrument, having requested the under-

and said property in accordance with the terms of said deed of trust and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expense of sale.

NOW, THEREFORE, I, J. Gary Messery, Substituted Trustee in said deed of trust, will on February 10, 2009, offer for sale at public outcry and sell within legal hours (being between the hours of 11:00 a.m. and 4:00 p.m.), at the East Front Door of the County Courthouse of De Soto County, located in Hernando, Mississippi, to the highest and best bidder for cash the following described property situated in De Soto County, State of Mississippi, to-wit:

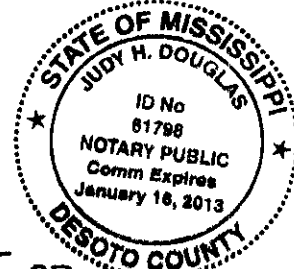
Volume No. 114 on the 20 day of Jan., 2009  
Volume No. 114 on the 27 day of Jan., 2009  
Volume No. 114 on the 3 day of Feb., 2009  
Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2009  
Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2009  
Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2009

Diane Smith

Sworn to and subscribed before me, this 3 day of Feb., 2009

BY Judy H. Douglas

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: JANUARY 16, 2013  
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED



A. Single first insertion of 425 words @ .12 \$ 51.00  
B. 2 subsequent insertions of 850 words @ .10 \$ 85.00  
C. Making proof of publication and depositing to same \$ 3.00  
TOTAL PUBLISHER'S FEE: \$ 139.00

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I, the undersigned, do hereby make for a more particular description of said property, I WILL CONVEY only such title as I have in me as Substituted Trustee.

WITNESS MY SIGNATURE on this 14th day of January 2009.

J. Gary Messery  
SUBSTITUTED TRUSTEE  
Shelby & Messery, L.L.P.  
1910 Lakeland Drive  
Suite B  
Jackson, MS 39248  
(601) 981-9238  
3740 Ramblinwood Drive  
Horn Lake, MS 38637  
601-671-1207

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